

UNITED STATES DISTRICT COURT  
for the  
DISTRICT OF MASSACHUSETTS

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CARLOS AGUIAR )  
Plaintiff )  
Vs. ) Civil Action No. 04-12011-MLW  
LIMA AND CURA FISHING )  
CORPORATION. )  
Defendant )  
\_\_\_\_\_  
)

PLAINTIFF'S SPECIAL VERDICT QUESTIONS

1. Negligence

Do you find that the Defendant was negligent and that its negligence was a proximate cause of injury to the Plaintiff?

Yes \_\_\_\_\_ No \_\_\_\_\_

2. Unseaworthiness

Do you find that the F/V MY WAY was unseaworthy, and that this unseaworthy condition was a proximate cause of injury to the Plaintiff?

Yes \_\_\_\_\_ No \_\_\_\_\_

*IF YOU HAVE ANSWERED "NO" TO BOTH QUESTION # 1 AND  
QUESTION # 2 ABOVE, YOU HAVE FOUND FOR THE DEFENDANT AND  
NEED NOT ANSWER ANY FURTHER QUESTIONS*

*IF YOU HAVE ANSWERED "YES" TO EITHER QUESTION # 1 OR  
QUESTION #2, OR HAVE ANSWERED "YES" TO BOTH QUESTION # 1 AND  
QUESTION # 2, THEN PLEASE CONTINUE ON THE NEXT PAGE.*

3. Contributory Negligence

- A) Do you find that the Plaintiff was negligent and that his negligence was a proximate cause of his injuries?

Yes \_\_\_\_\_ No \_\_\_\_\_

- B) If you have answered "Yes" to question 3(A) above, please state in what percent the Plaintiff's negligence caused or contributed to his own injuries.

\_\_\_\_\_ %

4. Please state in dollars the total amount the damages, both economic and non-economic, which the Plaintiff has sustained or will sustain in the future, which were caused by the negligence of the Defendant or the unseaworthiness of the F/V MY WAY.

- |                              |          |
|------------------------------|----------|
| A. Past lost wages           | \$ _____ |
| B. Past pain and suffering   | \$ _____ |
| C. Future lost wages         | \$ _____ |
| D. Future pain and suffering | \$ _____ |

5. Do you award the Plaintiff maintenance and cure?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your response was "yes," what amount

\_\_\_\_\_

6. Do you award the Plaintiff damages for the Defendant's intentional or negligent failure to pay maintenance and cure?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your response was "yes," what amount

\_\_\_\_\_

7. Do you award the Plaintiff pre-judgment interest

Yes \_\_\_\_\_ No \_\_\_\_\_

If your response was "yes" in percentage terms, what amount (not to exceed 12%)

\_\_\_\_\_

\_\_\_\_\_  
Foreperson